Approved For Release 2010/08/27 : CIA-RDP90-00552R000404440022-3

CIA

BALTIMORE SUN
10 November 1986

2 Democrats hint at new NSC scrutiny

Reports of arms shipped to Iran prompt criticism

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WASHINGTON — New laws may be needed to bring the National Security Council under closer congressional scrutiny as a result of reports that the NSC approved secret arms shipments to Iran that helped win the release of U.S. hostages in Lebanon, two key Democratic lawmakers said yesterday.

Their comments came amid growing criticism that the reported arms shipments could encourage terrorists to seize more American hostages.

Meanwhile, Senate Foreign Relations Committee Chairman Richard Lugar, R-Ind., said he did not believe Secretary of State George P. Shultz would resign over the arms shipments.

But he indicated that Mr. Shultz, who reportedly opposed the operation, was not well informed about it. Mr. Shultz conferred at his home yesterday with key State Department officials concerning potential administration moves to discourage Syrian involvement in terrorism.

Mr. Shultz's meeting on Syria came a day before a meeting in London in which the British will seek to get an agreement from Common Market partners on a set of measures against Syria.

U.S. officials, meanwhile, acknowledged that any American involvement in arms shipments to Iran marked a fundamental policy reversal by the Reagan administration. Officials said President Reagan's decision to provide spare parts and arms to Iran came about largely because of his deeply felt desire to free the American hostages.

The shipments, reportedly carried out with Israeli help, have been cited as easing the way most recently for the release of David Jacobsen, the director of American University Hospital in Beirut who was abducted in May 1985.

The contacts with Iran, which had the dual aim of opening channels to moderate elements and helping free U.S. hostages in Lebanon, were reportedly conducted by National Security Council officials without the direct involvement of the departments of State and Defense or the Central Intelligence Agency.

One reason for confining the operation to the NSC apparently was to prevent disclosure. CIA officials can be summoned by House and Senate oversight committees to report on intelligence operations.

Senate Minority Leader Robert C. Byrd, D-W.Va., said in a television interview: "I think they're attempting to circumvent the Congress. . . . And I think we ought to take a look at the laws. Perhaps the laws ought to be changed. Perhaps the national security adviser should be one of those officers who have to have confirmation by the Senate."

The national security adviser, who reports to the president, is not now subject to Senate confirmation. Such a process would bring Senate committee scrutiny of his background and views before he assumed office.

Mr. Byrd also said he understood that Mr. Shultz and Defense Secretary Caspar W. Weinberger were "kept out of the loop" during the reported 18 months of secret diplomacy to gain Iranian aid to win the release of the hostages.

"It is my understanding that Mr. Weinberger hit the ceiling," Mr. Byrd said. "Mr. Shultz's nose is out of joint. And I can understand."

But an administration official said it was erroneous to assume that Mr. Shultz had "waged a vigorous campaign against" supplying arms to Iran. "Nobody dug in their heels, including Shultz or Weinberger," the official said.

Representative Richard Gephardt, D-Mo., who chairs the House Democratic Caucus, said that in both the reported Iranian contacts and the previously disclosed covert aid to Nicaraguan rebels, "we've got two instances here where the Security Council is really trying to operate American foreign policy."

Appearing with Mr. Byrd on NBC's "Meet the Press," he said, "I think the Congress shares a responsibility for foreign policy with the White House. . . . And if we don't even know what they're doing and we can't even find out today, then I think we have to look at the laws and see if we don't need changes."

Sen. Sam Nunn, D-Ga., who will chair the Armed Services Committee when Democrats assume control of the Senate in January, said on "This Week with David Brinkley": "We have some profound legal inquiries as to whether any laws have been violated. And we really have another question, and that is the decision-making process in this administration. In an effort to cut Congress out, have they also cut out the CIA, the Joint Chiefs, the State Department and the Defense Department — and if so, who's making the decisions?"

The White House continued its official silence on the matter yesterday. In a pretaped television interview conducted by John McLaughlin and aired yesterday, White House Chief of Staff Donald T. Regan said:

"As quickly as we can, we'll tell you the whole thing. I'll assure you we're not breaking any laws, we're not doing anything illegal or immoral, and I think when we can tell the story the American public will appreciate the efforts of this president to get American hostages released."

Such a report would come, he said, when all the hostages are out. He said he did not believe reports that both Mr. Shultz and Mr. Weinberger were angry about the operation.

Mr. Lugar, who will be the ranking Republican on the Senate Foreign Relations Committee in the new Congress, said that Vice Adm. John M. Poindexter, Mr. Reagan's national security adviser, had told him that allies and some Mideast countries had been informed about the U.S. actions.

"There has been a concerted attempt made to make certain that our diplomacy in the Middle East, as well as with our allies, was advanced by all this," Mr. Lugar said.

But a spokesman for the senator said later, "Lugar still says he's got a number of questions."

The spokesman, Mark Helmke, said Admiral Poindexter told the senator that the United States has been trying to work with and talk to certain factions in Iran and that any efforts to win the release of hostages "were tangential" to this aim.

Sen. Daniel Patrick Moynihan, D-N.Y., a member of the Select Committee on Intelligence, last night called for the resignation of Admiral Poindexter, reportedly the architect of the Iran deal.

Mr. Moynihan said he had heard reports that Mr. Shultz might quit because of the deal.

The New York Times News Service contributed to this article.

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